

PATENT  
Docket No.: 19603/607 (CRF D-1657C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) :	Soderlund et al.	)	Examiner:
		)	J. Zara
Serial No. :	09/428,371	)	
		)	Art Unit:
Cnfrm. No. :	4568	)	1635
		)	
Filed :	October 28, 1999	)	
		)	
For :	INSECT SODIUM CHANNELS FROM	)	
	INSECTICIDE -SUSCEPTIBLE AND	)	
	INSECTICIDE-RESISTANT HOUSE FLIES	)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.97-1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR §§ 1.97-1.98, applicants hereby bring to the attention of the United States Patent and Trademark Office, the enclosed references listed on the attached PTO-1449 form.

Pursuant to 37 CFR §§ 1.17(p) and 1.97(c), enclosed is a check to cover the \$180.00 filing fee. The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 14-1138.

Respectfully submitted,



Andrew K. Gonsalves  
Registration No. 48,145

Date: October 17, 2003

NIXON PEABODY LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603-1051

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	09/428,371
		Filing Date	October 28, 1999
		First Named Inventor	David M. Soderlund
		Art Unit	1635
		Examiner Name	Jane Zara
		Attorney Docket Number	19603/607 (CRF D-1657C)
Sheet	1	of	1

U.S. PATENT DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
JZ	1	US-5,593,862	01/14/1997	Hall et al.	
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
JZ	2	WO 96/14860	05/23/96	Van Der Ploeg et al.		
	3	WO 96/15220	05/23/96	Liu et al.		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>6</sup>	
JZ	4	EMBL Accession No. MD38813 (May 10, 1996)			
	5	EMBL Accession No. MD38814 (May 10, 1996)			
	6	SWALL Accession No. Q25439 (November 1, 1996)			
	7	SWALL Accession No. Q25440 (November 1, 1996)			
	8	EMBL Accession No. MDPARA (September 17, 1996)			
	9	SWALL Accession No. Q94615 (February 1, 1997)			
	10	Smith et al., "The L1014F Point Mutation in the House Fly Vssc1 Sodium Channel Confers Knockdown Resistance to Pyrethroids," <u>Insect Biochem. Molec. Biol.</u> 27(10):807-812 (1997)			
	11	Martinez-Torres et al., "Molecular Studies of Knockdown Resistance to Pyrethroids: Cloning of Domain II Sodium Channel Gene Sequences from Insects," <u>Pesticide Science</u> 51(3):265-270 (1997)			
	12	Warmke et al., "Functional Expression of <i>Drosophila para</i> Sodium Channels: Modulation by the Membrane Protein TipE and Toxin Pharmacology," <u>J. General Physiol.</u> 110(2):119-133 (1997)			
	13	Smith et al., "Actions of the Pyrethroid Insecticides Cismethrin and Cypermethrin on House Fly Vssc1 Sodium Channels Expressed in <i>Xenopus</i> Oocytes," <u>Archives of Insect Biochemistry and Physiology</u> 38:126-136 (1998)			

Examiner Signature	JZ	Date Considered	4/20/04
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.USPTO.gov](http://www.USPTO.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

HAND-DELIVERED

UTILITY/DESIGN PATENT

(amend/final amend)

Date: 10/20/03

Date of O.A.:

Rec'd in the U.S. Patent & Trademark Office on the date stamped hereon

via Certificate of Mail:

Case # 19603/007

SIN: 09/428-371

Filed: October 28, 1999

Pat. #

Issued:

Examiner: JUNE ZARA

Batch:

Art Unit: 1635

Applicant: Soderlund et al

Atty: A. Goncalves

Title: INSECT SODIUM CHANNELS FROM INSECTKIDE-SUSCEPTIBLE

Re-Exam Control #

VERIFIED BY: Asst: SPAN

Quality Control:

☒ Transmittal Sheet in duplicate

☐ Amendment in \_\_\_\_\_ pgs.

☐ \_\_\_\_\_ Mo. Ext. Time in dupc.

☐ Change of Address

☐ Request for Drawing Changes

☐ Small Entity Statement

☐ \_\_\_\_\_ pgs. Drawings

☐ Assignment in \_\_\_\_\_ pgs.

☒ \$ 150 - Check for Amendment

Check for Assig.

☐ Issue Per Trans. in duplicate

Issue Per/Soft Copies

☒ Information Disclosure Statement: PTO-1449 in duplicate with

Reference(s)

☒ Fee Transmittal (1 page) (in duplicate)

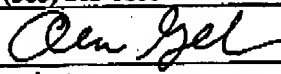
**FORM***(to be used for all correspondence after initial filing)*

		First Named Inventor	David M. Soderlund
		Group Art Unit	1635
		Examiner Name	Jane Zara
Total Number of Pages in This Submission	5 and cited references	Attorney Docket Number	19603/607 (CRF D-1657C)

**ENCLOSURES** (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowances Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  PTO-1449 Form (1 page) (in duplicate) 13 cited references
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Andrew K. Gonsalves, Esq. Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1658 Fax: (585) 263-1600
Signature	 Registration No. 48,145
Date	October 17, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_

Date

Signature

**FOR FY 2003**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 180)

FIRST INVENTOR INFORMATION

Examiner Name

Jane Zara

Art Unit

1635

Attorney Docket No.

19603/607 (CRF D-1657C)

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number 14-1138

Deposit Account Name Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	330	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)** (\$ 0)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
	20** =	X	0
Independent Claims	3** =	X	0
Multiple Dependent		X	0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	2053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIF prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIF after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	930	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(e)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 180)**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

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- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_

Date

Signature

Typed or printed name